

# Customs Bulletin

Regulations, Rulings, Decisions, and Notices  
concerning Customs and related matters



## and Decisions

of the United States Court of Customs and  
Patent Appeals and the United States  
Customs Court

Vol. 7

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SEPTEMBER 26, 1973

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No. 39

*This issue contains*

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Tariff Commission Notices

DEPARTMENT OF THE TREASURY  
U.S. Customs Service

## NOTICE

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# U.S. Customs Service

(T.D. 73-257)

## *Customs stations—Customs Regulations amended*

Changes in the Customs Field Organization, section 1.3(d), Customs Regulations,  
amended

DEPARTMENT OF THE TREASURY,  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
Washington, D.C.

## TITLE 19—CUSTOMS DUTIES

### CHAPTER I—UNITED STATES CUSTOMS SERVICE

#### PART 1—GENERAL PROVISIONS

As the result of an urban renewal program the riverfront area of St. Clair, Michigan, that accommodated the St. Clair ferry operations has been converted into a waterfront park protected by a common seawall. Therefore, the St. Clair Customs station in the Detroit, Michigan, district (Region IX), no longer exists.

Accordingly, the designation of St. Clair, Michigan, as a Customs station is hereby revoked. To reflect this revocation, the table in section 1.3(d) of the Customs Regulations is amended by deleting "St. Clair, Mich" from the list of "Customs stations", and "Port Huron." from the "Port of entry having supervision" listing in the Detroit, Michigan, district.

(Sec. 1, 37 Stat. 434; 5 U.S.C. 301, 19 U.S.C. 1)

Because this amendment revokes the designation of a Customs station which no longer exists, good cause is found for dispensing with notice and public procedure thereon as unnecessary, and good cause is found for the amendment to become effective on the earliest date possible under 5 U.S.C. 553.

*Effective date.* This amendment shall be effective upon publication in the Federal Register.

(ADM-9-03:R:R)

LEONARD LEHMAN,  
*Acting Commissioner of Customs.*

Approved August 30, 1973:

JAMES B. CLAWSON,  
*Acting Assistant Secretary of the Treasury.*

[Published in the Federal Register September 12, 1973 (38 FR 25171)]

(T.D. 73-258)

*Designation of the Bureau of Customs as United States Customs Service—Customs Regulations amended*

Amendment to the Customs Regulations reflecting change of designation of Bureau of Customs to United States Customs Service

DEPARTMENT OF THE TREASURY,  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
*Washington, D.C.*

TITLE 19—CUSTOMS DUTIES

CHAPTER I—UNITED STATES CUSTOMS SERVICE

Treasury Department Order No. 165-23 provides that as of August 1, 1973, the Bureau of Customs is designated as the United States Customs Service. This necessitates amending the Customs Regulations to reflect the change in designation.

Accordingly, Chapter I, title 19 of the Code of Federal Regulations, the Customs Regulations, is amended to conform to Treasury Department Order No. 165-23 by substituting "United States Customs Service" for "Bureau of Customs" wherever the latter appears.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

Because this amendment merely conforms the Customs Regulations with a Treasury Department Order and requires no public initiative, notice and public procedure thereon is found to be unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

*Effective date.* This amendment shall be effective upon publication in the Federal Register.

(ADM-9-03 :R :R)

VERNON D. ACREE,  
*Commissioner of Customs.*

Approved September 4, 1973:

EDWARD L. MORGAN,  
*Assistant Secretary of the Treasury.*

[Published in the Federal Register September 12, 1973 (38 FR 25171)]

(T.D. 73-259)

*Foreign currencies—Certification of rates*

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

DEPARTMENT OF THE TREASURY,  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
Washington, D.C., September 10, 1973.

The Federal Reserve Bank of New York, pursuant to section 522 (c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 73-190 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

## France franc:

August 27, 1973	.....	\$0.2309
August 28, 1973	.....	.2304

## Norway krone:

August 27, 1973	.....	\$0.1785
August 28, 1973	.....	.1783
August 29, 1973	.....	.1788
August 30, 1973	.....	.1783
August 31, 1973	.....	.1788

## Switzerland franc:

August 27, 1973	.....	\$0.3286
August 28, 1973	.....	.3281

(LIQ-3-0:A :E)

R. N. MARRA,  
*Director, Appraisal  
and Collections Division.*

[Published in the Federal Register September 18, 1973 (38 FR 26137)]

(T. D. 73-260)

*Foreign currencies—Daily rates for countries not on quarterly list*

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Hong Kong dollar, Iran rial, Philippine peso, Singapore dollar, Thailand baht (tical)

DEPARTMENT OF THE TREASURY,  
OFFICE OF THE COMMISSIONER OF CUSTOMS,  
*Washington, D.C., September 10, 1973.*

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified buying rates in U.S. dollars for the dates and foreign currencies shown below. These rates of exchange are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR, Part 159, Subpart C).

Hong Kong dollar:	<i>Official</i>	<i>Free</i>
August 13, 1973-----	\$0. 1973	Not available
August 14, 1973-----	. 1975	" "
August 15, 1973-----	. 1970	" "
August 16, 1973-----	. 1975	" "
August 17, 1973-----	. 1950	" "

## Iran rial:

For the period August 27 through August 31, 1973, rate of \$0.0150.

## Philippine peso:

August 27, 1973-----	\$0. 1480
August 28, 1973-----	. 1475
August 29, 1973-----	. 1480
August 30, 1973-----	. 1480
August 31, 1973-----	. 1480

## Singapore dollar:

August 27, 1973-----	\$0. 4275
August 28, 1973-----	. 4275
August 29, 1973-----	. 4280
August 30, 1973-----	. 4270
August 31, 1973-----	. 4280

## Thailand baht (tical) :

August 27, 1973	-----	\$0. 0490
August 28, 1973	-----	. 0495
August 29, 1973	-----	. 0495
August 30, 1973	-----	. 0490
August 31, 1973	-----	. 0495

(LIQ-3-0:A:E)

R. N. MARRA,  
*Director, Appraisalment  
and Collections Division.*





# Decisions of the United States Customs Court

United States Customs Court

One Federal Plaza  
New York, N.Y. 10007

*Chief Judge*  
Nils A. Boe

*Judges*

Paul P. Rao  
Morgan Ford  
Scovel Richardson  
Frederick Landis

James L. Watson  
Hebert N. Maletz  
Bernard Newman  
Edward D. Re

*Senior Judges*

Charles D. Lawrence  
David J. Wilson  
Mary D. Alger  
Samuel M. Rosenstein

*Clerk*

Joseph E. Lombardi

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## *Abstracts* *Abstracted Protest Decisions*

DEPARTMENT OF THE TREASURY, *September 4, 1973.*

The following abstracts of decisions of the United States Customs Court at New York are published for the information and guidance of officers of the customs and others concerned. Although the decisions are not of sufficient general interest to print in full, the summary herein given will be of assistance to customs officials in easily locating cases and tracing important facts.

VERNON D. ACREE,  
*Commissioner of Customs.*

## CUSTOMS COURT

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	ASSESSED		HELD		BASIS	PORT OF ENTRY AND MERCHANDISE
				Par. or Item No. and Rate	Par. or Item No. and Rate	Par. or Item No. and Rate	Par. or Item No. and Rate		
P73860	Newman, J. August 28, 1973	Globe Wide Associates, Inc.	62/10404	Par. 1531 or 1531/1539(a) 30%	Par. 353 12 1/2%			Lafayette Radio Electronics Corp. v. U.S. (C.A.D. 977)	Philadelphia Leather cases Imported with radios (antiretics)
P73851	Rao, J. August 29, 1973	Barth and Dreyfuss of Calif.	70/30055, etc.	Item 366.30 32%	Item 387.30 10.5%			Hedaya Bros. v. U.S. (C.D. 3888)	Los Angeles Calendar towels
P73852	Landis, J. August 29, 1973	Specialty Industries, Division of Amtel, Inc.	72-4-00826	Item 546.52 60%	Item 711.55 9.5%			Agreed statement of facts	New York Hygrometers
P73853	Maletz, J. August 29, 1973	Sekisui New York Corp.	67/85456	Item 771.55 20%	Item 771.42 12.5%			Sekisui Products, Inc. v. U.S. (C.D. 3885)	New York Eson PVC corrugated panels and Eson sheets

# Decisions of the United States Customs Court

## *Abstracts Abstracted Protest Decisions*

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	BASIS OF VALUATION	UNIT OF VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
R73/266	Watson, J. August 27, 1973	Katone Corp.	R68/4735	Constructed value	Radios: \$5.30, each, net packed Earphones: \$0.10, each, net packed Batteries: \$0.10, each, net packed	Judgment on the plead- ings	New York Radios imported together with ear- phones and batteries
R73/267	Watson, J. August 27, 1973	Katone Corp.	R68/4736	Constructed value	Radios: \$5.29, each, net packed Earphones: \$0.1055, each, net packed Batteries: \$0.1055, each, net packed	Judgment on the plead- ings	New York Radios imported together with ear- phones and batteries
R73/268	Watson, J. August 27, 1973	Katone Corp.	R68/6117, etc.	Constructed value	Radios: \$5.10, each, net packed Earphones: \$0.06, each, net packed Batteries: \$0.10, each, net packed	Judgment on the plead- ings	New York Radios imported together with ear- phones and batteries

## CUSTOMS COURT

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	BASIS OF VALUATION	UNIT OF VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
R73/260	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R67/23109	Constructed value	Radios: \$7.58, each, net packed Batteries: \$0.10, each, net packed	Judgment on the pleadings	New York Radios imported together with batteries
R73/270	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/798	Constructed value	Radios: \$8.60, each, net packed Earphones: \$0.15, each, net packed Batteries: \$0.10, each, net packed	Judgment on the pleadings	New York Radios imported together with earphones and batteries
R73/271	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/987	Constructed value	Radios: \$5.45, each, net packed Earphones: \$0.06, each, net packed Batteries: \$0.14, each, net packed	Judgment on the pleadings	New York Radios imported together with earphones and batteries
R73/272	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/988	Constructed value	Radios: \$5.85, each, net packed Earphones: \$0.05, each, net packed Batteries: \$0.12, each, net packed	Judgment on the pleadings	New York Radios imported together with earphones and batteries

R73/273	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/1977	Constructed value	Radios: \$5.455, each net, packed Earphones: \$0.06, each, net packed Batteries: \$0.14, each, net packed	Judgment on the plead- ings	New York Radios imported together with earphones and batteries
R73/274	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/1978	Constructed value	Radios: \$7.80, each, net packed Earphones: \$0.08, each, net packed Batteries: \$0.10, each, net packed	Judgment on the plead- ings	New York Radios imported to- gether with ear- phones and batteries
R73/275	Watson, J. August 27, 1973	Mar-Lin Enterprises, Inc.	R68/14797	Constructed value	Colored radios: \$7.50, each, net packed Black radios: \$7.52, each, net packed Earphones: \$0.06, each, net packed Batteries: \$0.12, each, net packed	Judgment on the plead- ings	New York Radios imported to- gether with ear- phones and batteries

## CUSTOMS COURT

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	BASIS OF VALUATION	UNIT OF VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
R73/276	Ford, J. August 28, 1973	Marubeni-Hida (America), Inc., et al.	R65/23107, etc.	Constructed value	Radios: L.o.b. invoice unit values, each, net packed; or L.o.b. in- voice unit value less (U.S.\$) 0.18, 0.22, each, packed. Earphones: (U.S.\$) 0.08, 0.12, each, net packed Batteries: U.S. \$0.10, each, net packed (Such values are indi- cated in decision and judgment for entries enumerated on sche- dules A, B and C)	Agreed statement of facts	Los Angeles Radios, imported alone, or radios im- ported together with earphones and batteries
R73/277	Ford, J. August 28, 1973	Mitsui & Co. (USA), Inc.	R66/28082, etc.	Constructed value	Radios: L.o.b. invoice unit value, less (U.S. \$) 0.22, 0.20, 0.18, each, packed Earphones: (U.S.\$) 0.12, 0.10, 0.08, each, net packed Batteries: (U.S.\$) 0.10, 0.12, each, net packed (Such values are indi- cated in decision and judgment for entries enumerated on sche- dules A through D)	Agreed statement of facts	Los Angeles Radios, imported together with ear- phones and batteries

R73/278	Ford, J. August 28, 1973	Mitsui & Co. (USA) Inc.	R67/15238, etc.	Constructed value	Radios: f.o.b. invoice unit value, less (U.S.\$) 0.21, 0.20, 0.22, each, packed Earphones: (U.S.\$) 0.09, 0.10, 0.12, each, net packed Batteries: (U.S.\$) 0.12, 0.10, each, net packed (Such values are indi- cated in decision and judgment for entries enumerated on sched- ules A, B and C) Not stated	Agreed facts	statement of facts	New York Radios, imported together with ear- phones and bat- teries
R73/279	Ford, J. August 28, 1973	Mitsui & Co. (USA), Inc.	R68/2797	Constructed value: f.o.b. involved unit prices, net packed	Not stated	Agreed facts	statement of facts	Los Angeles Radios
R73/280	Ford, J. August 28, 1973	Symphonic Electronic Corp.	R70/8829, etc.	Constructed value: f.o.b. involved unit prices, net, packed	Not stated	Agreed facts	statement of facts	Boston Radio tuners and radio receivers
R73/281	Re, J. August 28, 1973	Atkins, Kroll & Co. et al.	R69/5866, etc.	Export value: Net ap- praised value less 7 1/4%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)		San Francisco Japanese plywood
R73/282	Re, J. August 28, 1973	Atkins, Kroll & Co. et al.	R60/7613, etc.	Export value: Net ap- praised value less 7 1/4%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)		San Francisco Japanese plywood
R73/283	Re, J. August 28, 1973	J. Wm. Back Com- pany et al.	R58/4109, etc.	Export value: Net ap- praised value less 7 1/4%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)		Los Angeles Japanese plywood

## CUSTOMS COURT

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	COURT NO.	BASIS OF VALUATION	UNIT OF VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
R73/284	Re, J. August 28, 1973	Borneo Sumatra Trading Co., Inc.	R58/27927, etc.	Export value: Net appraised value less 7½%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)	Seattle Japanese plywood
R73/285	Re, J. August 28, 1973	Getz Bros. & Co.	R58/9779, etc.	Export value: Net appraised value less 7½%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)	Los Angeles Japanese plywood
R73/286	Re, J. August 28, 1973	W. R. Grace & Co.	R59/2476, etc.	Export value: Net appraised value less 7½%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)	Los Angeles Japanese plywood
R73/287	Re, J. August 28, 1973	Wood Mosaic Industries, Inc.	R58/27340, etc.	Export value: Net appraised value less 7½%, net packed	Not stated	U.S. v. Getz Bros. & Co. et al. (C.A.D. 927)	Longview (Portland, Oreg.) Japanese plywood



# Decisions of the United States Customs Court

## *Abstracts Abstracted Valuation Decision on Remand from Protest Proceedings*

DECISION NUMBER	JUDGE & DATE OF DECISION	PLAINTIFF	PROTEST NO.	BASIS OF VALUATION	UNIT OF VALUE	BASIS	PORT OF ENTRY AND MERCHANDISE
V73/9	Ford, J. August 27, 1973	F. B. Vandegrift & Co., Inc.	62/1415 (P60/38, Initial No. 62/ 4344)	Export value: Appraised values	Not stated	Agreed statement of facts	Philadelphia No. 4 gas burners

# Tariff Commission Notices

*Investigations by the United States Tariff Commission*

DEPARTMENT OF THE TREASURY, September 13, 1973.

The appended notices relating to investigations by the United States Tariff Commission are published for the information of Customs officers and others concerned.

VERNON D. ACREE,  
*Commissioner of Customs.*

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[TEA-W-207]

WORKERS' PETITION FOR A DETERMINATION UNDER SECTION 301(c) (2) OF THE  
TRADE EXPANSION ACT OF 1962

## *Notice of investigation*

On the basis of a petition filed under section 301(a) (2) of the Trade Expansion Act of 1962, on behalf of the former workers of Criterion Footwear, Inc., Brooklyn, New York, the United States Tariff Commission, on September 4, 1973, instituted an investigation under section 301(c) (2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women and misses (of the types provided for in items 700.32, 700.45, 700.55 and 700.60 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the *Federal Register*.

The petition filed in this cause is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission:

KENNETH R. MASON,  
*Secretary.*

*Issued September 4, 1973.*

[TEA-W-208]

WORKERS' PETITION FOR A DETERMINATION UNDER SECTION 301(c) (2) OF THE  
TRADE EXPANSION ACT OF 1962*Notice of investigation*

On the basis of a petition filed under section 301(a) (2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Don Gustin Shoe Co., Inc., Paterson, N.J., the United States Tariff Commission, on September 4, 1973, instituted an investigation under section 301(c) (2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women (of the types provided for in items 700.43, 700.45 and 700.55 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the *Federal Register*.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission:

KENNETH R. MASON,  
*Secretary.*

*Issued September 4, 1973.*

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[337-L-66]

## CHAIN DOOR LOCKS

*Extension of time for filing written views*

On July 31, 1973, the United States Tariff Commission published notice of the receipt of a complaint under section 337 of the Tariff Act of 1930, filed by Ideal Security Hardware Corporation of Saint Paul, Minnesota, alleging unfair methods of competition and unfair acts in the importation and sale of certain chain door locks (38 F.R. 20381). Interested parties were given until September 10, 1973, to

file written views pertinent to the subject matter of a preliminary inquiry into the allegations of the complaint. The Commission has extended the time for filing written views until the close of business on October 10, 1973.

By order of the Commission:

KENNETH R. MASON,  
*Secretary.*

*Issued September 6, 1973.*

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[TEA-W-209]

WORKERS' PETITION FOR A DETERMINATION UNDER SECTION 301(c) (2) OF THE  
TRADE EXPANSION ACT OF 1962

*Notice of investigation*

On the basis of a petition filed under section 301(a) (2) of the Trade Expansion Act of 1962, on behalf of the former workers of Zuckerman & Fox, Inc., New York, New York, the United States Tariff Commission, on September 6, 1973, instituted an investigation under section 301(c) (2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women (of the types provided for in items 700.20 and 700.45 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the *Federal Register*.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission:

KENNETH R. MASON,  
*Secretary.*

*Issued September 6, 1973.*

## [TEA-W-210]

WORKERS' PETITION FOR A DETERMINATION UNDER SECTION 301(c)(2) OF THE  
TRADE EXPANSION ACT OF 1962*Notice of investigation*

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of the Nina Footwear Co., Inc., Long Island City, New York, the United States Tariff Commission, on September 6, 1973, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women (of the types provided for in items 700.20, 700.43, 700.45 and 700.55 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the *Federal Register*.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

By order of the Commission:

KENNETH R. MASON,  
*Secretary.*

*Issued September 6, 1973.*

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[337-34]

## CONVERTIBLE GAME TABLES AND COMPONENTS THEREOF

*Notice of investigation and hearing*

A complaint was filed with the U.S. Tariff Commission on October 26, 1972, and a supplement thereto on January 22, 1973, on behalf of ATI Recreation, Inc. (now All-Tech Industries, Inc.), of Miami Lakes, Florida, alleging unfair methods of competition and unfair

acts in the importation and sale of certain convertible game tables. Complainant alleges that the effect or tendency of the unfair methods or acts is to destroy or substantially injure an industry, efficiency and economically operated, in the United States in violation of the provisions of section 337 of the Tariff Act of 1930 (19 U.S.C. sec. 1337).

Armac Enterprises, Inc., and Sears Roebuck and Company, both of Chicago, Illinois, have been named by complainant as either importing or offering for sale the subject product.

Having conducted, in accordance with sec. 203.3 of the Commission's *Rules of Practice and Procedure* (19 CFR 203.3), a preliminary inquiry with respect to the matters alleged in said complaint, as supplemented, the U.S. Tariff Commission, on August 30, 1973, ordered:

That, for the purposes of section 337 of the Tariff Act of 1930, an investigation be instituted with respect to the alleged violations in the importation and sale in the United States of convertible game tables made in accordance with the claims of U.S. Design Patent No. 223,539 and U.S. Patent No. 3,711,099 and components thereof; with respect to the allegation that complete sets of the imported product are the subjects of unfair pricing; and with respect to the allegation that complete sets of the imported product are the subjects of false representations as to sponsorship.

A public hearing was ordered by the Commission to begin on October 15, 1973, at 10:00 a.m., E.D.T. in the Hearing Room, U.S. Tariff Commission Building, Eighth and E Streets, N.W., Washington, D.C. All parties concerned will be afforded an opportunity to be present, to produce evidence, and to be heard concerning the subject matter of the investigation. Interested parties desiring to appear and give testimony at the hearing should notify the Secretary of the Commission in writing at least 5 days in advance of the opening of the hearing.

The Commission decided not to recommend at this time that the President issue a temporary exclusion order pursuant to section 337 (f).

Public notice of the receipt of the complaint and initiation of the preliminary inquiry was published in the *Federal Register* of November 17, 1972 (32 F.R. 24473).

By order of the Commission:

KENNETH R. MASON,  
Secretary.

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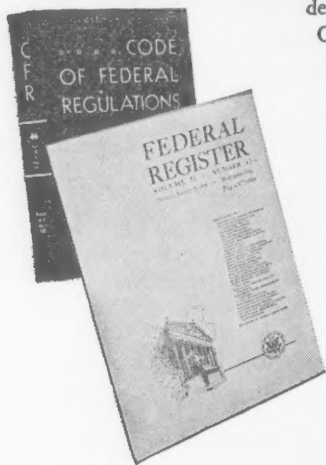
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